

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
5:11-CR-00044-RJC-DSC

USA

v.

BOBBY JERMELL DOBBINS

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ORDER

**THIS MATTER** is before the Court upon motion of the defendant to correct his sentence for “clear error” pursuant to Federal Rule of Criminal Procedure 35(a). (Doc. No. 24).

According to the motion, the defendant raised an issue regarding the guideline calculation that was resolved against him at sentencing. (Id. at 1). While a court has power to correct an acknowledged and obvious mistake, Rule 35(a) does not give a court power simply to change its mind about the sentence. United States v. Cook, 890 F.2d 672, 675 (4th Cir. 1989).

**IT IS, THEREFORE, ORDERED** that the defendant’s motion is **DENIED**.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, and to the United States Attorney.

Signed: September 8, 2017



Robert J. Conrad, Jr.  
United States District Judge

